

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 5-14-03.

I. DISPUTE

Whether there should be reimbursement for CPT codes: 99070ST, 99070AS, 99499RR, 72020-27, and 76000.

II. FINDINGS & RATIONALE

Services were reduced based upon a negotiated contract. Requestor contends that a contract does not exist; therefore, services will be reviewed per *Medical Fee Guideline*.

DOS	CPT CODE	Billed	Paid	EOB Denial Code	MARS (Maximum Allowable Reimbursement)	Reference	Rationale
12-27-02 1-21-03 2-5-03	99070ST	\$179.40	\$135.10 \$125.00 \$100.00	C	DOP	Surgery GR (V)(B)(1-2) Rule 133.307(g)(3)(D)	The requestor submitted EOBs from AIGCS and Gallagher Bassett to support position that amount billed was fair and reasonable. The EOBs below revealed different amounts billed and paid for similar service; therefore, requestor failed to support position that additional reimbursement is due.
12-27-02 1-21-03 2-5-03	99070AS	\$588.30 \$545.50 \$554.50	\$169.46 \$208.96 \$208.96	C	DOP		
12-27-02 1-21-03 2-5-03	99499RR	\$300.00	\$115.60 \$100.00 \$100.00	C	DOP		

Redacted EOB from other insurance carrier's indicated the following:

Insurance Carrier	CPT CODE	Billed	Paid
AIGCS	99070ST 99070AS 99499RR	\$588.30 \$417.40 \$300.00	\$588.30 \$417.40 \$255.00 per contract
Gallagher Bassett	99070ST 99070AS 99499RR	\$179.40 \$626.50 \$218.08	\$152.49 \$532.53 \$300.00
Gallagher Bassett	99070ST 99070AS 99499RR	\$180.08 \$639.00 \$218.08	\$153.34 \$543.15 \$100.00 per contract
Gallagher Bassett	99070ST 99070AS 99499RR	\$179.40 \$655.50 \$218.08	\$179.40 \$655.50 \$300.00

III. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for CPT codes, 99070ST, 99070AS and 99499RR.

The above Findings and Decision are hereby issued this 22nd day of February 2005.

Elizabeth Pickle
Medical Dispute Resolution Officer
Medical Review Division